

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVE P. NASTASIUK,

Civil No. 04-6373-AA
O R D E R

Plaintiff,

vs.

MCKENZIE SCHOOL DISTRICT
NO. 68, a governmental entity,
and SUSAN TAYLOR-GREENE, acting
in her individual capacity,

Defendants.

AIKEN, Judge:

Plaintiff filed an action for declaratory and injunctive relief, and for damages and attorney fees against defendants McKenzie School District, No. 68 and Susan Taylor-Greene for gender discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e-2, violation of plaintiff's First Amendment rights, rights under the Equal Protection Clause, and Due Process Clause of the Fourteenth Amendment, among other claims.

Plaintiff has filed a motion to compel the production of documents. That motion is granted in part and denied in part as follows:

1 Executive Session Minutes: Plaintiff seeks to compel production
2 of the minutes from certain meetings of defendant District's
3 Board of Directors. Defendant refuses to produce these documents
4 alleging they contain privileged attorney client communications.
5 Defendant is ordered to produce minutes from the requested Board
6 meetings that do not contain attorney client communications.
7 Defendant is also ordered to produce minutes that do contain such
8 privileged communications with those communications redacted from
9 the documents.

10 Medical Records: Plaintiff's request for Taylor-Greene's medical
11 records because they "may contain information reasonably
12 calculated to lead to the discovery of admissible evidence," is
13 denied. Considering plaintiff's allegations of Title VII gender
14 discrimination and retaliation, I find no relevance to
15 defendant's medical records. This request is denied with leave
16 to reopen if plaintiff is able to articulate some relevance to
17 his claims.

18 Personnel Files: Defendant is ordered to turn over the personnel
19 files of Jenny Stamatis, a District bus driver, and David
20 Mitchell, a former District educational assistant. Defendant is
21 also ordered to produce salary information for David Greene. The
22 court accepts defendant's representation that it does not possess
23 any relevant documents for David Greene regarding evaluations
24 and/or documents that would "support or refute the atmosphere of
25 anti-male bias that the plaintiff alleges."

26 All personnel information, including personnel files, will
27 be produced via a Protective Order drafted by the defendant and
28 signed by the court. The Protective Order should be filed with

1 the court within two weeks of the date of this Order, and then
2 discovery should be provided to the plaintiff within two weeks of
3 the court signing the Protective Order.

4 CONCLUSION

5 Plaintiff's motion to compel (doc. 32) is granted in part
6 and denied in part as stated above. Further, plaintiff's request
7 for oral argument is denied.

8 IT IS SO ORDERED.

9 Dated this 16 day of July 2006.

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13 /s/ Ann Aiken

14 Ann Aiken
15 United States District Judge
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